

Notification of Regulated Waste Activity

North Dakota Hazardous Waste
Site Identification Form (SFN53681)
Instructions



North Dakota
Department of Health
Division of Waste Management
Hazardous Waste Program

Reviewed 12/05

Notification of Regulated Waste Activity

Instructions

The instructions contained in this booklet will assist you in obtaining a State/EPA Identification Number by completing and submitting the North Dakota Hazardous Waste Site Identification Form (Site ID Form) for initial notifications or in revising your Site ID Form if you are required to submit a subsequent notification.

Large Quantity Handlers of Universal Waste and Used Oil Handlers have the option of submitting either the Site ID Form or a letter to notify the Department of their regulated waste activities, including both initial and subsequent notifications. As noted above, the instructions in this booklet refer only to completing and submitting the North Dakota Hazardous Waste Site Identification Form. However, the circumstances under which these handlers must notify the Department of their regulated waste activities, the data they must provide, and the procedures they must follow, as described in this booklet, apply to submitting a Site ID Form or a letter.

Contents of This Booklet

Following is a list of the sections contained in this booklet and the information covered in those sections:

- Section 1. How to File Notification of Regulated Waste Activity (Information on how and where to file your form; State contact where you can get information, and send your completed forms.)
- Section 2. Line-by-line Instructions for Notification of Regulated Waste Activity Using the North Dakota Hazardous Waste Site ID Form.
- Section 3. Definitions (To help you understand and complete the Site ID Form)
- Section 4. Hazardous Waste Numbers for Waste Streams Commonly Generated by Small Quantity Generators
- Appendix 1 Typical Hazardous Waste Streams Produced by Small Quantity Generators
- Appendix 2 Typical Hazardous Waste Streams and Hazardous Waste Numbers

After your completed notification is received, you will be sent a written acknowledgment that will include your State/EPA Identification Number. This written acknowledgment also serves as your registration certificate.

1. How to File Notification of Regulated Waste Activity

Initial Notifications

If you do not currently have a State/EPA Identification Number and you handle a regulated waste, you must submit an initial notification for your regulated waste activities. You can satisfy this initial notification requirement by completing and signing the North Dakota Hazardous Waste Site Identification Form (Site ID Form) and mailing it to the appropriate address listed in subsection B of this section.

Circumstances under which you should submit an initial notification include:

1. If you generate, transport, treat, store, or dispose of hazardous wastes; or
2. If you recycle hazardous wastes. (Recyclable materials are defined as hazardous wastes that are recycled.) The recycling process itself is exempt from regulation, but you must notify the Department and obtain a State/EPA Identification Number prior to recycling recyclable materials; or
3. If you are a large quantity handler of universal waste. (Notification is required for people who have not previously notified Department of their hazardous waste activities or who have not already sent a notification to the Department as required by Section 33-24-05-732 NDAC); or
4. If you transport, process, or re-refine used oil; burn off-specification used oil for energy recovery; or market used oil.

Subsequent Notifications

Even if you have submitted an initial notification and have received a State/EPA Identification Number, you may be required to submit a subsequent notification. In general, you should submit a subsequent notification under the following circumstances:

1. If your business moves to another location; or
2. If the contact for your site changes; or
3. If the ownership of your site changes; or
4. If an additional owner has been added or replaced since you submitted your initial notification; or
5. If the type of regulated waste activity you conduct changes.

A. How Many Forms Should I File?

A person who is subject to the hazardous waste, universal waste, or used oil management regulations under the North Dakota Hazardous Waste Management rules should submit one notification (Site ID Form) per site. If you conduct any regulated waste activity - hazardous waste, universal waste, or used oil management activities - at more than one site, you must submit a separate notification (Site ID Form) for each site. State/EPA Identification Numbers are location (site) specific.

If you only transport regulated wastes and do not generate, treat, store, or dispose of hazardous wastes; qualify as a large quantity handler of universal wastes; or process/re-refine used oil, burn off-specification used oil fuel, or market used oil fuel, you may submit one notification (Site ID Form) that covers all transportation activities your company conducts. However, if you are a transporter who also engages in one or more of the regulated waste activities listed above, you must complete and submit a separate notification (Site ID Form) to cover each site.

B. Where Should I Send My Completed Form?

Completed forms should be sent to:

Christine Roob
North Dakota Department of Health
2301 8th Ave N
Fargo ND 58102

C. Who should I contact if I have any questions?

Christine Roob, North Dakota Department of Health, Division of Waste Management, Hazardous Waste Program. She can be reached at (701) 476-4121.

2. Line-by-line Instructions for Notification of Regulated Waste Activity Using the North Dakota Hazardous Waste Site Identification Form

This is a new version of the Notification of Regulated Waste Activity Form. **Please be sure to review the instructions carefully and complete all items on the form.**

WHO MUST SUBMIT THIS FORM

All sites required to submit any of the following must submit the North Dakota Hazardous Waste Site Identification (Site ID) Form:

- Initial Notification of Regulated Waste Activity
- Subsequent Notification of Regulated Waste Activity
- First RCRA Hazardous Waste Part A Permit Application
- Revised RCRA Hazardous Waste Part A Permit Application
- Hazardous Waste Report

These instructions explain how to complete the Site ID Form for the Notification of Regulated Waste Activity. You **must review** all the items on the Site ID Form. Be sure to enter information for all the required items.

PURPOSE OF THIS FORM

For purposes of an initial Notification of Regulated Waste Activity, the Site ID Form provides site-specific information about a facility for obtaining a State/EPA Identification Number and submitting initial notification of regulated waste activity. For purposes of a subsequent Notification of Regulated Waste Activity, the Site ID Form provides updated site-specific information for those items that have changed at your facility and verifies the information for those items that remain unchanged.

HOW TO FILL OUT THIS FORM

Please fill out all of the following Site ID Form items:

- Item 1 - your reason for submitting the form (in this case, as an Initial or Subsequent Notification of Regulated Waste Activity);
- Item 2 - your site's State/EPA ID number;
- Item 3 - the name of your site;
- Item 4 - the physical location of your site;
- Item 5 - the land type of your site;

- Item 6 - the North American Industry Classification System (NAICS) code(s) for your site;
- Item 7 - the mailing address for your site;
- Item 8 - name, phone number and mailing address of a contact person at your site;
- Item 9 - names and mailing address of the legal owner and the operator of your site;
- Item 10 - your site's regulated waste activities (enter all that apply);
- Item 11 - the description of hazardous waste if you handle any;
- Item 12 - additional comments on Items 1 through 11; and
- Item 13 - certification that the information you provided throughout the form is truthful, accurate and complete.

ITEM-BY-ITEM INSTRUCTIONS


Item 1 -- Reason for Submittal:

Reason for Submittal: Place an "X" in the appropriate box to indicate whether this form is your Initial Notification (to obtain a State/EPA Identification Number); a Subsequent Notification (to update your site identification information); a component of a First or a Revised Hazardous Waste Part A Permit Application; or a component of the Biennial Hazardous Waste Report.

- **For Initial Notification of Regulated Waste Activity to provide site identification information and obtain a State/EPA Identification Number for hazardous waste, universal waste, or used oil activities.**
- **For Subsequent Notification of Regulated Waste Activity to update site identification information.** You must use this form to submit a subsequent notification if your site already has a State/EPA Identification Number and you wish to change information (e.g., generator status, new owner, new mailing address, etc.).
- **As a component of a First Hazardous Waste Part A Permit Application.** If your site is planning to treat, store, or dispose of hazardous waste on site in a unit that is not exempt from obtaining a hazardous waste permit, you must submit this form as part of the Part A Permit Application.
- **As a component of a Revised Hazardous Waste Part A Permit Application.** If you must submit a revised Part A Permit Application to reflect changes that have occurred at your site, you must submit this form as part of your revised Part A Permit Application. Examples of site changes requiring a revised Part A Permit Application include managing new wastes not identified in the first submission of the form or changes to existing waste treatment processes. When submitting a revised Part A Permit Application, please include the Amendment number in the appropriate space.
- **As a component of the Biennial Hazardous Waste Report.** If you are required to submit a Biennial Hazardous Waste Report indicating the amount of hazardous waste you generate, treat, ship off site, or receive from off site, you must fill out this form.


Item 2 -- Site State/EPA ID Number:

Provide your State/EPA Identification Number in Item 2 **for this site**. When submitting a subsequent notification, be sure to include your State/EPA Identification Number at the top of page 2 of the form (as well as on any attachments to the Site ID Form).

	NOTE: If this is your initial notification for this site, leave the State/EPA Identification Number blank and proceed to Item 3.
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Items 3 and 4 -- Site Name and Location:

Provide the legal name of your site and a complete location address. Please note that the address you give for Item 4, Site Location, must be a physical address, **not a post office box or route number**.

	NOTE: A new State/EPA Identification Number is required if you change the location of your site.
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Item 5 -- Site Land Type:

Place an "X" in the box that **best describes** the land type of your site. Select only one type: Private, County, District, Federal, Indian, Municipal, State, or Other. If your site's Land Type could be described as Municipal **and** as County, as District, or as Indian, do not mark Municipal. Instead choose the other appropriate code; you may explain this in Item 12 - Comments.

Item 6 -- North American Industry Classification System (NAICS) Code(s):

Box A **must** be completed. Completing Boxes B-D is recommended, if applicable.

Box A Provide the North American Industry Classification System (NAICS) code that **best** describes your site's primary business production process for your products or services. Use the six (6) digit code (most specific description) if available for your business; if not, use the five (5) digit code; **do not** enter any four (4) or less digit code.

Boxes B - D List other NAICS codes that describe the primary business production processes for your site. Use the most specific 6 or 5 digit codes available.

You can obtain NAICS codes from our web page at:

- ☐ www.health.state.nd.us/ndhd/envIRON/wm/forms.htm
- ☐ NAICS web site at www.census.gov/naics

Item 7 -- Site Mailing Address:

Please enter the Site Mailing Address. If the mailing address and the Site Street Address (Item 4) are the same, you can print "Same" in the box for Item 7.

Item 8 -- Site Contact Person:

Enter the name, mailing address, business telephone number, and extension of the person who should be contacted regarding the information submitted in the Site ID Form. A subsequent notification is recommended when the Site Contact Person changes. If the contact mailing address and the mailing address of the Site (Item 7) are the same, you can print "Same" in the box for Item 8.

Item 9 -- Legal Owner and Operator of the Site:

This section should be used to indicate all the owners and operators of this site. For the meaning of owner and operator, see Section 3. Definitions. The Comments section in Item 12 and additional sheets can be used if necessary.

- A. Name of Site's Legal Owner:** Provide the name of your site's legal owner. If an additional owner or owners have been added or a previous owner is no longer an owner since the site's last submission of this form, please provide information on the new and previous owner(s).

Date Became an Owner: Indicate the date on which the above person or entity became the owner of your site.

Owner Type: Place an "X" in the box that **best describes** the owner type of your site. Select only one type: Private, County, District, Federal, Indian, Municipal, State, or Other. If your site's Owner Type could be described as Municipal **and** as County, as District, or as Indian, do not mark Municipal. Instead choose the other appropriate code; you may explain this in Item 12 - Comments.

Use the Comments section in Item 12 to list any additional owners, their names, the dates they became owners, owner type, mailing address, and which owner(s), if any, are no longer owners since your last submission of this form. If necessary, attach a separate sheet of paper.

Mailing address: Please enter the Site's Legal Owner's Mailing Address. If the site's legal owner's mailing address and the mailing address of the Site (Item 7) are the same, you can print "Same" in the box for Item 9.


- B. Name of Site's Operator:** Provide the name of your site's operator. If the operator is the same as the owner, you can print "Same" in box 9 B and move on to Section 10.

Date Became an Operator: Indicate the date on which the above person became the operator of your site.

Operator Type: Place an "X" in the box that **best describes** the operator type of your site. Select only one type: Private, County, District, Federal, Indian, Municipal, State, or Other. If your site's Operator Type could be described as Municipal **and** as County, as District, or as Indian, do not mark Municipal. Instead choose the other appropriate code; you may explain this in Item 12 - Comments.

Use the Comments section in Item to list any additional operators, their names, the dates they became operators, operator type, and mailing address. If necessary, attach a separate sheet of paper.

Mailing address: Please enter the Site Operator's Mailing Address. If the site's operator's mailing address and the mailing address of the Site (Item 7) are the same, you can print "Same" in the box for Item 9.

	<p>NOTE: A subsequent notification is recommended when the owner or operator of a site changes. Because a State/EPA Identification Number is site-specific, the new owner will keep the existing State/EPA Identification Number for that location. If the business moves to another location, the owner or operator must notify the Department of this change. In this instance, a new State/EPA Identification Number will be assigned, since the business has changed locations.</p>
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Item 10 -- Type of Regulated Waste Activity (Place an 'X' in the appropriate boxes for the activities that apply to your site.)

- A. Hazardous Waste Activities:** Place an "X" in the appropriate box(es) to indicate which hazardous waste activities are being conducted at this site.


The regulations for hazardous waste generators are found in the North Dakota Hazardous Waste Management Rules. Consult these regulations for details about how the regulations apply to your situation. Or you can consult the North Dakota Hazardous Waste Compliance Guide. Both of these documents can be found on our web page at: www.health.state.nd.us/ndhd/envIRON/wm/pubs.htm. If you need further help completing this section, please contact the Department personnel listed in subsection C of Section 1.

1. **Generator of Hazardous Waste:** If you generate a hazardous waste that is listed or identified by one or more hazardous waste characteristic(s) contained in the North Dakota Hazardous Waste Management Rules place an "X" in the appropriate box for the quantity of hazardous waste that is generated per calendar month. Below is a brief description of the three types of hazardous waste generators.

a. LQG: Large Quantity Generator

This site is a Large Quantity Generator if the site meets **any** of the following criteria:

- i) Generates, in any calendar month, 1,000 kg (2,200 lbs.) or more of hazardous waste; **or**
- ii) Generates, in any calendar month, or accumulates at any time, more than 1 kg (2.2 lbs.) of acute hazardous waste; **or**
- iii) Generates, in any calendar month, or accumulates at any time, more than 100 kg (220 lbs.) of spill cleanup material contaminated with acute hazardous waste.

	NOTE: If, in addition to being an LQG, you recycle hazardous wastes at your site (without storing the wastes before you recycle them), mark both this box and Box A.4 below.
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b. SQG: Small Quantity Generator

This site is a Small Quantity Generator if the site meets **all** of the following criteria:

- i) Generates, in any calendar month, more than 100 kg (220 lbs.) but less than 1,000 kg (2,200 lbs.) of hazardous waste; **and**
- ii) Generates, in any calendar month, or accumulates at any time, no more than 1 kg (2.2 lbs.) of acute hazardous waste **and** no more than 100 kg (220 lbs.) of material from the cleanup of a spill of acute hazardous waste.

OR, the site is a Small Quantity Generator if the site:

- i) Meets all other criteria for a Conditionally Exempt Small Quantity Generator (see below), but
- ii) Accumulates, at any time, more than 1,000 kg (2,200 lbs.) of hazardous waste.

c. CESQG: Conditionally Exempt Small Quantity Generator

This site is a CESQG if the site does **all** of the following:

- i) Generates no more than 100 kg (220 lbs.) of hazardous waste in any calendar month; **and**
- ii) Accumulates, at any time, no more than 1,000 kg (2,200 lbs.) of hazardous waste; **and**
- iii) Generates, in any calendar month, or accumulates at any time, no more than 1 kg (2.2 lbs.) of acute hazardous waste, **and** no more than 100 kg (220 lbs.) of material from the cleanup of a spill of acute hazardous waste.

In addition to the above, place an "X" in the following appropriate box(es) to indicate other generator activities occurring **at this site**. (Mark all boxes that apply.)


d. United States Importer of Hazardous Waste

Place an "X" in the box if you import hazardous waste from a foreign country into the United States.


e. Mixed Waste Generator

Place an "X" in the box if you are a generator of mixed waste (waste that is both hazardous and radioactive). The North Dakota Hazardous Waste Management rules defines "mixed waste" as waste that contains both hazardous waste and source, special nuclear, or by-product material subject to the Atomic Energy Act (AEA), Resource Conservation and Recovery Act section 1004(41), 42 U.S.C. 6903 (63 FR 17414; April 9, 1998).

- 2. **Transporter of Hazardous Waste:** Place an "X" in the box if you transport hazardous waste within the United States.
- 3. **Treater, Storer, or Disposer of Hazardous Waste:** If you treat, store, or dispose of regulated hazardous waste, place an "X" in this box. (Burning hazardous wastes in boilers and industrial furnaces and storing hazardous wastes before recycling them fall into this category as well.) A hazardous waste permit is required for this activity. You are reminded to contact the Department to request a RCRA Hazardous Waste Part A Permit Application.

	NOTE: If your site is a destination facility for universal wastes in addition to being a treatment, storage, or disposal facility for other RCRA hazardous wastes, mark both this box and Box B.2 below.
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4. **Recycler of Hazardous Waste:** If you recycle regulated hazardous wastes (recyclable materials), place an "X" in this box. A hazardous waste permit may be required for this activity.

	NOTE: If your site, in addition to being a recycling site for hazardous waste, is a treater, storer, or disposer of hazardous waste, mark both this box and Box A.3 above. If your site is a destination facility for universal wastes in addition to being a recycling site for other RCRA hazardous wastes, mark both this box and Box B.2 below.
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5. **Exempt Boiler and/or Industrial Furnace:**


a. If you burn small quantities of hazardous waste in an on-site boiler or industrial furnace in accordance with the conditions in Section 33-24-05-533 NDAC, place an "X" in the box to indicate that you qualify for the Small Quantity On-Site Burner Exemption.

b. If you process hazardous wastes in a smelting, melting, or refining furnace solely for metals recovery, or to recover economically significant amounts of precious metals, as described in Section 33-24-05-525.3.a NDAC, or if you process hazardous wastes in a lead recovery furnace to recover lead, as described in Section 33-24-05-525.3.c NDAC, place an "X" in the box to indicate that you qualify for the Smelting, Melting, and Refining Furnace Exemption.

6. **Underground Injection Control:** If you generate, treat, store, or dispose of hazardous waste and there is an underground injection well located at your site, place an "X" in the box.

B. **Universal Waste Activities:**

1. **Large Quantity Handler of Universal Waste (LQHUW):** You are an LQHUW if you accumulate a **total of 5,000 kg or more** of any universal wastes (calculated collectively) **at any time**. Place an "X" in the appropriate box(es) to indicate the type(s) of universal wastes you generate and/or accumulate at your site.
2. **Destination Facility:** Place an "X" in the box if you treat, dispose of, or recycle universal wastes on site. A hazardous waste permit is required if you treat or dispose of universal wastes; a permit may be required if you recycle universal wastes.

	<p>NOTE: If your site, in addition to being a destination facility for universal wastes, is also a treatment, storage, or disposal facility for RCRA hazardous wastes, mark both this box and Box A.3 above. In addition, if your site recycles RCRA hazardous wastes, mark both this box and Box A.4 above.</p>
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C. Used Oil Activities: Mark the appropriate box(es) to indicate which used oil management activities are taking place **at this site**.

1. **Used Oil Transporter:** If you transport used oil and/or own or operate a used oil transfer facility, place an "X" in the appropriate box(es) to indicate this used oil management activity.
2. **Used Oil Processor/Re-Refiner:** If you process and/or re-refine used oil, place an "X" in the appropriate box(es) to indicate this used oil management activity.
3. **Off-Specification Used Oil Burner:** If you burn off-specification used oil fuel, place an "X" in the box to indicate this used oil management activity.
4. **Used Oil Fuel Marketer:** If you market off-specification used oil directly to a burner, place an "X" in Box 4.a. If you are the first to claim the used oil meets the used oil specification established in Section 33-24-05-611 NDAC, place an "X" in Box 4.b. If either of these boxes is marked, you also must notify (or have previously notified) as a used oil transporter, used oil processor/re-refiner, or off-specification used oil fuel burner, unless you are a used oil generator. (Used oil generators are not required to notify.)

Item 11 -- Description of Hazardous Wastes:

You will need to refer to Chapter 33-24-02 of the North Dakota Hazardous Waste Management Rules to complete this item. This Chapter identifies those solid wastes which the Department defines as hazardous and regulates under the rules. If you handle hazardous wastes, which are described in Chapter 33-24-02 of the North Dakota Hazardous Waste Management Rules, enter the appropriate 4-digit Hazardous Waste Number(s) in the box(es) provided. Appendices 1 and 2 may help you identify Hazardous Waste Numbers that may apply to your business.

If you need help completing this section, please contact the Department personnel listed in subsection C of Section 1.


	<p>NOTE: If you handle more hazardous wastes than will fit under Item 11, please continue listing the hazardous waste codes on an extra sheet. Attach any additional sheets to the Site ID Form.</p>
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Item 12 -- Comments:

Use this section as needed to provide additional information for Items 1 through 11. You may attach additional sheets if necessary.

Item 13 -- Certification:

This certification must be signed by owner(s), operator(s), or authorized representative(s) of the site. An “authorized representative” is a person responsible for the overall operation of the site (i.e., a plant manager or superintendent, or a person of equal responsibility).

	<p>NOTE: All Site ID Form submissions must include this certification to be complete.</p>
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3. Definitions

The following definitions are included to help you to understand and complete the Site ID Form:

Act means North Dakota Century Code chapter 23-20.3.

Authorized Representative means the person responsible for the overall operation of a site or an operational unit (i.e., part of a site), e.g., superintendent or plant manager, or person of equivalent responsibility.

Boiler means an enclosed device using controlled flame combustion and having the following characteristics:

1. The unit has physical provisions for recovering and exporting energy in the form of steam, heated fluids, or heated gases;
2. The unit's combustion chamber and primary energy recovery section(s) are of integral design (i.e., they are physically formed into one manufactured or assembled unit);
3. The unit continuously maintains an energy recovery efficiency of at least 60 percent, calculated in terms of the recovered energy compared with the thermal value of the fuel;
4. The unit exports and utilizes at least 75 percent of the recovered energy, calculated on an annual basis (excluding recovered heat used internally in the same unit, for example, to preheat fuel or combustion air or drive fans or feedwater pumps); or
5. The unit is one which the Department has determined, on a case-by-case basis, to be a boiler, after considering the standards in Section 33-24-01-11 NDAC.

Disposal means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or on any land or water including groundwater.

Hazardous Waste means a hazardous waste as defined in Section 33-24-02-03 NDAC.

Hazardous Waste Generator means any person, by site, whose act or process produces hazardous waste identified or listed in Chapter 33-24-02 NDAC or whose act first causes a hazardous waste to become subject to regulation.

Hazardous Waste Storage means the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of, or stored elsewhere.

Hazardous Waste Transporter means a person engaged in the offsite transportation of hazardous waste by air, rail, highway, or water.

Hazardous Waste Treatment means any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize such hazardous waste, or so as to recover energy or material resources from the hazardous waste, or so as to render such hazardous waste nonhazardous, or less hazardous; safer to transport, store or dispose of; or amenable for recovery, amenable for storage, or reduced in volume. Such term includes any activity or processing designed to change the physical form or composition of hazardous waste so as to render it nonhazardous.

Industrial Furnace means any of the following enclosed devices that are integral components of manufacturing processes and that use thermal treatment to accomplish recovery of materials or energy: cement kilns; lime kilns; aggregate kilns; phosphate kilns; coke ovens; blast furnaces; smelting, melting and refining furnaces; titanium dioxide chloride process oxidation reactors; methane reforming furnaces; pulping liquor recovery furnaces; combustion devices used in the recovery of sulfur values from spent sulfuric acid; halogen acid furnaces, as defined under industrial furnace in Section 33-24-01–4 NDAC; and such other devices as the Department may add to this list.

Large Quantity Handler of Universal Waste means a universal waste handler (as defined in Section 33-24-05-706 NDAC) who accumulates 5,000 kilograms or more total of universal waste (batteries, pesticides, or thermostats, collectively) at any time. This designation is retained through the end of the calendar year in which 5,000 kilograms or more of universal wastes are accumulated.

Municipality means a city, county, district, association, or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

NDAC means the North Dakota Administrative Code. The administrative code referenced in this document is Article 33-24, North Dakota Hazardous Waste Management Rules.

Off-Specification Used Oil Burner means a site where used oil not meeting the specification requirements in Section 33-24-05-611 NDAC (off-specification used oil) is burned for energy recovery in devices identified in Section 33-24-05-660 NDAC.

Off-Specification Used Oil Fuel means used oil fuel that does not meet the specification provided under Section 33-24-05-611 NDAC.

On-Specification Used Oil Fuel means used oil fuel that meets the specification provided under Section 33-24-05-611 NDAC.

Operator means the person responsible for the overall operation of a site. See **Person**.

Owner means a person who owns a site or part of a site, including the property owner. See **Person**.

Person means an individual, trust, firm, joint stock company, Federal Agency, corporation (including a government corporation), partnership, association, State, municipality, commission, political subdivision of a State, or any interstate body.

RCRA means the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended by the Hazardous and Solid Waste Amendments of 1984, 42 U.S.C. Section 6901 *et seq.*

State/EPA Identification (ID) Number means the number assigned by the Department to each hazardous waste generator, hazardous waste transporter, and treatment, storage, or disposal site; large quantity handler of universal wastes; used oil transporter, used oil processor/re-refiner, off-specification used oil fuel burner, and used oil fuel marketer.

Site means the physical plant or location at which one or more of the following regulated waste activities occurs: the generation, transportation, treatment, storage, or disposal of hazardous wastes; recycling of hazardous wastes; the accumulation of 5,000 kg or more of universal wastes; and the transportation (and temporary storage during transportation), processing/re-refining, burning, or marketing of used oil. A site may consist of several treatment, storage, or disposal operational units. A site also may consist of an area undergoing corrective action. (For entities that only transport regulated wastes, the term site refers to the headquarters of that entity's operations.)

Small Quantity On-Site Burner Exemption means that persons who burn small quantities of hazardous waste in an on-site boiler or industrial furnace, in accordance with Section 33-24-05-533 NDAC, are conditionally exempt from regulation for that activity.

Smelting, Melting, and Refining Furnace Exemption means that: owners or operators of smelting, melting, and refining furnaces that process hazardous waste solely for metal recovery are conditionally exempt from regulation, except for Section 33-24-05-526 NDAC and Section 33-24-05-537 NDAC, provided they comply with the requirements in Section 33-24-05-525.3 NDAC; owners or operators of smelting, melting and refining furnaces that process hazardous

waste for recovery of precious metals are conditionally exempt from regulation, except for Section 33-24-05-537 NDAC, provided they comply with the requirements in Section 33-24-05-525 NDAC; and owners or operators of lead recovery furnaces that process hazardous waste for recovery of lead and that are subject to regulation under the Secondary Lead Smelting NESHAP are conditionally exempt from regulation, except for Section 33-24-05-526 NDAC, provided they comply with the requirements in Section 33-24-05-525 NDAC.

Underground Injection Control means the subsurface emplacement of fluids through a bored, drilled or driven well; or through a dug well, where the depth of the dug well is greater than the largest surface dimension.

Used Oil means any oil that has been refined from crude oil, or any synthetic oil, that has been used, and as a result of such use, is contaminated by physical or chemical impurities.

Used Oil Fuel Marketer means any person who conducts either of the following activities:

1. Directs a shipment of off-specification used oil from their site to an off-specification used oil burner; or
2. First claims that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in Section 33-24-05-611 NDAC.

Used Oil Management Activities, for the purposes of the Site ID Form, include used oil transportation; used oil processing and re-refining; burning off-specification used oil fuel; and used oil fuel marketing.

Used Oil Processing means chemical or physical operations designed to produce from used oil, or to make used oil more amenable for production of, fuel oils, lubricants, or other used oil-derived products. Processing includes, but is not limited to: blending used oil with virgin petroleum products, blending used oils to meet the fuel specification, filtration, simple distillation, chemical or physical separation, and re-refining.

Used Oil Processor means a site that processes on- or off-specification used oil.

Used Oil Re-Refiner means a site that produces lubricating oils and greases, industrial fuel, asphalt extender, gasoline, and other products from on- or off-specification used oil.

Used Oil Transfer Facility means any transportation-related facility, including loading docks, parking areas, storage areas, and other areas where shipments of used oil are held for more than 24 hours during the normal course of transportation

and not longer than 35 days. Transfer facilities that store used oil for more than 35 days are subject to regulation under Sections 33-24-05-650 through - 659.

Used Oil Transporter means any person who transports used oil, any person who collects used oil from more than one generator and transports the collected oil, and owners and operators of used oil transfer facilities. Used oil transporters may consolidate or aggregate loads of used oil for purposes of transportation but, with the following exception, may not process used oil. Used oil transporters may conduct incidental processing operations that occur in the normal course of used oil transportation (e.g., settling and water separation), but that are not designed to produce (or make more amenable for production of) used oil-derived products or used oil fuel.

4. Hazardous Waste Numbers for Waste Streams Commonly Generated by Small Quantity Generators

The Department recognizes that generators of small quantities of hazardous waste, many of which are small businesses, may not be familiar with the manner in which hazardous waste materials are identified in the North Dakota Hazardous Waste Management Rules. In order to aid small quantity generators in determining the Hazardous Waste Numbers for their hazardous wastes that are needed to complete the Site ID form, two appendices are enclosed.

Appendix 1 lists 18 general industry categories that contain small quantity generators. For each of these categories, commonly generated hazardous wastes are identified.

Appendix 2 lists Hazardous Waste Numbers for each hazardous waste stream identified in Appendix 1.

To use these appendices:

1. Locate your industry in Appendix 1 to identify the hazardous waste streams common to your activities.
2. Find each of your hazardous waste streams in Appendix 2, and review the more detailed descriptions of typical hazardous wastes to determine which hazardous waste streams actually result from your activities.
3. If you determine that a hazardous waste stream does apply to you, report the 4-digit Hazardous Waste Number in Item 11 of the Site ID form.

The industries and hazardous waste streams described here do not provide a comprehensive list but rather serve as a guide to potential small quantity generators in determining which of their solid wastes, if any, are hazardous. Except for the pesticide category, this insert does not include Hazardous Waste Numbers for commercial chemical products that are hazardous when discarded unused. These chemicals and their Hazardous Waste Numbers are listed in Section 33-24-02-18 NDAC.

In those cases where more than one Hazardous Waste Number is applicable, all should be used. If you have any questions, or if you are unable to determine the proper Hazardous Waste Numbers for your hazardous wastes, call the Department contact listed in subsection C of Section 1.

Appendix 1

Typical Hazardous Waste Streams Produced by Small Quantity Generators

LABORATORIES

Acids/Bases, Heavy Metals/Inorganics,
Ignitable Wastes, Reactives, Solvents

PRINTING AND ALLIED INDUSTRIES

Acids/Bases, Heavy Metals/Inorganics,
Ink Sludges, Spent Plating Wastes, Solvents

PESTICIDE END USERS AND APPLICATION

Heavy Metals/Inorganics, Services, Pesticides,
Solvents

CONSTRUCTION

Acids/Bases, Ignitable Wastes, Solvents

EQUIPMENT REPAIR

Acids/Bases, Ignitable Wastes,
Lead Acid Batteries, Solvents

FURNITURE/WOOD MANUFACTURING & REFINISHING

Ignitable Wastes, Solvents

OTHER MANUFACTURING (textiles, plastics, leather)

Heavy Metals/Inorganics, Solvents

LAUNDRIES AND DRY CLEANERS

Dry Cleaning Filtration Residues,
Solvents

EDUCATIONAL AND VOCATIONAL SHOPS

Acids/Bases, Ignitable Wastes, Pesticides,
Reactives, Solvents

BUILDING CLEANING AND MAINTENANCE

Acids/Bases, Solvents

VEHICLE MAINTENANCE

Acids/Bases, Heavy Metals/Inorganics,
Ignitable Wastes, Lead Acid Batteries, Solvents

WOOD PRESERVING

Preserving Agents

MOTOR FREIGHT TERMINALS AND RAILROAD

Acids/Bases, Transportation, Heavy
Metals/Inorganics, Ignitable Wastes,
Lead Acid Batteries, Solvents

FUNERAL SERVICES

Solvents (formaldehyde)

METAL MANUFACTURING

Acids/Bases, Cyanide Wastes, Heavy
Metals/Inorganics, Ignitable Wastes,
Reactives, Solvents, Spent Plating Wastes

CHEMICAL MANUFACTURERS

Acids/Bases, Cyanide Wastes, Heavy
Metals/Inorganics, Ignitable Wastes,
Reactives, Solvents

CLEANING AGENTS AND COSMETICS

Acids/Bases, Heavy Metals/Inorganics,
Ignitable Wastes, Pesticides, Solvents

FORMULATORS

Acids/Bases, Cyanide Wastes, Heavy
Metals/Inorganics, Ignitable Wastes, Pesticides,
Reactives, Solvents

Appendix 2

Typical Hazardous Waste Streams and Hazardous Waste Numbers

ACIDS/BASES:

Acids, bases or mixtures having a pH less than or equal to 2 or greater than or equal to 12.5, or liquids that corrode steel at a rate greater than 0.25 inches per year, are considered to be corrosive (for a complete description of corrosive wastes, see Section 33-24-02-12 NDAC, Characteristic of Corrosivity). All corrosive materials and solutions have the Hazardous Waste Number D002. The following are some examples of the more commonly used corrosives:

Examples of Corrosive Waste Streams	
Acetic Acid	Oleum
Ammonium Hydroxide	Perchloric Acid
Chromic Acid	Phosphoric Acid
Hydrobromic Acid	Potassium Hydroxide
Hydrochloric Acid	Sodium Hydroxide
Hydrofluoric Acid	Sulfuric Acid
Nitric Acid	

DRY CLEANING FILTRATION RESIDUES:

Cooked powder residue (perchloroethylene plants only), still residues and spent cartridge filters containing perchloroethylene or valclene are hazardous and have an Hazardous Waste Number of F002. Still residues containing petroleum solvents with a flash point less than 140°F are also considered hazardous, and have a Hazardous Waste Number of D001.

HEAVY METALS/INORGANICS:

Heavy Metals and other inorganic waste materials exhibit the characteristic of TCLP Toxicity and are considered hazardous if the extract from a representative sample of the waste has any of the specific constituent concentrations as shown in Section 33-24-02-14 NDAC, Table 1. This may include dusts, solutions, wastewater treatment sludges, paint wastes, waste inks, and other such materials which contain heavy metals/inorganics (note that wastewater treatment sludges from electroplating operations containing nickel and cyanide are identified as F006). The following are TCLP Toxic:

Waste Stream	Hazardous Waste Number
Arsenic	D004
Barium	D005
Cadmium	D006
Chromium	D007
Lead	D008
Mercury	D009
Selenium	D010
Silver	D011

IGNITABLE WASTES:

Ignitable wastes include any flammable liquids, non-liquids, and contained gases that have a flashpoint less than 140°F (for a complete description of ignitable wastes, see Section 33-24-02-11 NDAC, Characteristic of Ignitability). Examples are spent solvents (see also solvents), solvent still bottoms, ignitable paint wastes (paint removers, brush cleaners and stripping agents), epoxy resins and adhesives

(epoxies, rubber cements and marine glues), and waste inks containing flammable solvents. Unless otherwise specified, all ignitable wastes have a Hazardous Waste Number of D001.

Some commonly used ignitable compounds are:

Waste Stream	Hazardous Waste Number
Acetone	F003
Benzene	D001
n-Butyl Alcohol	F003
Chlorobenzene	F002
Cyclohexanone	F003
Ethyl Acetate	F003
Ethylbenzene	F003
Ethyl Ether	F003
Ethylene Dichloride	D001
Methanol	F003
Methyl Isobutyl Ketone	F003
Petroleum Distillates	D001
Xylene	F003

LEAD ACID BATTERIES:

Used lead acid batteries should be reported on the notification form only if they are not recycled. Used lead acid batteries that are recycled do not need to be counted in determining the quantity of waste that you generate per month, nor do they require a hazardous waste manifest when shipped off your premises. (Note: Special requirements do apply if you recycle your batteries on your own premises -- see Section 33-24-05-235 NDAC.)

Waste Stream	Hazardous Waste Number
Lead Dross	D008
Spent Acids	D002
Lead Acid Batteries	D008, D002

ORGANIC WASTES:

See Section 33-24-02-14 NDAC, Table 1 - Maximum Concentration of Contaminants for the Toxicity Characteristic, for a list of constituents and regulatory levels.

PESTICIDES:

Pesticides, pesticide residues, washing and rinsing solutions and dips which contain constituent concentrations at or above Toxicity Characteristic regulatory levels (see Section 33-24-02-14 NDAC) are hazardous waste. Pesticides that have an oral LD50 toxicity (rat) < 50 mg/kg, inhalation LC50 toxicity (rat) < 2 mg/L or a dermal LD 50 toxicity (rabbit) < 200 mg/kg, are hazardous materials. The following pesticides would be hazardous waste if they are technical grade, unused and disposed. For a more complete listing, see Sections 33-24-02-17 through -18 NDAC for specific listed pesticides, discarded commercial chemical products, and other wastes, wastewaters, sludges, and by-products from pesticide production.

(Note that while many of these pesticides are no longer in common use, they are included here for those cases where they may be found in storage.)

Waste Stream	Hazardous Waste Number
Aldicarb	P070
Aldrin	P004
Amitrole	U011
Arsenic Pentoxide	P011
Arsenic Trioxide	P012
Cacodylic Acid	U136
Carbamic Acid, Methylnitroso-	
Ethyl Ester	U178
Chlordane	U036
Copper Cyanides	P029
1,2-Dibromo-3-Chloropropane	U066
1,2-Dichloropropane	U083
1,3-Dichloropropene	U084
2,4-Dichlorophenoxy Acetic Acid	U240
DDT	U061
Dieldrin	P037
Dimethoate	P044
Dimethylcarbamoyl Chloride	U097
4,6-Dinitrocresol	P047
Dinoseb	P020
Disodium Monomomethane arsonate	D004
Disulfoton	P039
Endosulfan	P050
Endrin	P051
Ethylmercuric Chloride	D009
Famphur	P097
Hepthachlor	P059
Hexachlorobenzene	U127
Kepone	U142
Lindane	U129
2-Methoxy Mercuric Chloride	D009
Methoxychlor	D014
Methyl Parathion	P071
Monosodium Methanearsonate	D004
Nicotine	P075
Parathion	P089
Pentachloronitrobenzene	U185
Pentachlorophenol	See F027
Phenylmercuric Acetate	D009
Phorate	P094
Strychnine	P108
2,4,5-Trichlorophenoxy Acetic Acid	See F027
2-(2,4,5-Trichlorophenoxy)-Propionic Acid	See F027
Thallium Sulfate	P115
Thiram	U244
Toxaphene	P123
Warfarin	U248

SOLVENTS:

Spent solvents, solvent still bottoms or mixtures containing solvents are often hazardous. This includes solvents used in degreasing and paint-brush cleaning, and distillation residues from reclamation. The following are some commonly used hazardous solvents (see also Ignitable Wastes for other hazardous solvents, and Section 33-24-02-16 NDAC for most listed hazardous waste solvents):

Waste Stream	Hazardous Waste Number
Benzene	D001
Carbon Disulfide	F005
Carbon Tetrachloride	F001
Chlorobenzene	F002
Cresols	F004
Cresylic Acid	F004
O-Dichlorobenzene	F002
Ethanol	D001
Ethylene Dichloride	D001
Isobutanol	F005
Isopropanol	D001
Kerosene	D001
Methyl Ethyl Ketone	F005
Methylene Chloride	F001 (Sludges), F002 (Still Bottoms)
Naphtha	D001
Nitrobenzene	F004
Petroleum Solvents (Flash-point less than 140°F)	D001
Pyridine	F005
1, 1, 1-Trichloroethane	F001 (Sludges), F002 (Still Bottoms)
Tetrachloroethylene	F001 (Sludges), F002 (Still Bottoms)
Toluene	F005
Trichloroethylene	F001 (Sludges), F002 (Still Bottoms)
Trichlorofluoromethane	F002
Trichlorotrifluoroethane	F002
White Spirits	D001

REACTIVES:

Reactive wastes include reactive materials or mixtures which are unstable, react violently with or form explosive mixtures with water, generate toxic gases or vapors when mixed with water (or when exposed to pH conditions between 2 and 12.5 in the case of cyanide- or sulfide-bearing wastes), or are capable of detonation or explosive reaction when irritated or heated (for a complete description of reactive wastes, see Section 33-24-02-13 NDAC, Characteristic of Reactivity). Unless otherwise specified, all reactive wastes have a Hazardous Waste Number of D003. The following materials are commonly considered to be reactive:

Waste Stream	Hazardous Waste Number
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Acetyl Chloride	D003
Chromic Acid	D003
Cyanides	D003
Organic Peroxides	D003
Perchlorates	D003
Permanganates	D003
Hypochlorites	D003
Sulfides	D003

SPENT PLATING AND CYANIDE WASTES:

Spent plating wastes contain cleaning solutions and plating solutions with caustics, solvents, heavy metals and cyanides. Cyanide wastes may also be generated from heat treatment operations, pigment production and manufacturing of anti-caking agents. Plating wastes are generally Hazardous Waste Numbers F006-F009. Heat treatment wastes are generally Hazardous Waste Numbers F010-F012. See Section 33-24-02-16 NDAC for a more complete description of plating wastes.

WOOD PRESERVING AGENTS:

Compounds or mixtures used in wood preserving, including the wastewater treatment sludge from wastewater treatment operations, are considered hazardous wastes. Bottom sediment sludges from the treatment of wastewater from wood preserving processes that use creosote or pentachlorophenol are hazardous, and have a Hazardous Waste Number of K001. In addition, wastewaters, process residuals, preservative drippage, and spent formulations from certain wood preserving processes are also hazardous wastes and carry Hazardous Waste Numbers F032, F034 or F035, depending on the contaminants they contain. Unless otherwise indicated, specific wood preserving components are as follows:

Waste Stream	Hazardous Waste Number(s)
Chromated Copper Arsenate	D004, F035
Creosote	K001, F034
Pentachlorophenol	K001, F032